

**THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
EASTERN DIVISION**

**CODA DEVELOPMENT s.r.o., CODA
INNOVATIONS s.r.o., and FRANTISEK
HRABAL,**

Plaintiffs,

v.

**THE GOODYEAR TIRE & RUBBER
COMPANY and ROBERT BENEDICT,**

Defendants.

Case No. 5:15-CV-01572-SL

JUDGE SARA LIOI

JOINT TRIAL DISCLOSURE AGREEMENT AND STIPULATION

1. During its case-in-chief, each side will identify any witnesses it expects to call (live or by deposition) and the order in which it expects to call them by 7:00 pm ET three calendar days before the trial day during which the witnesses will be called (for example, if a witness will be called on Wednesday, the party calling the witness will disclose the witness by 7:00 pm ET on Sunday).

2. For witnesses to be called by deposition, the disclosure will include the specific deposition testimony (identified by page/line numbers) that the disclosing party intends to introduce.

3. By 7:00 pm ET two calendar days before the witnesses testifying by deposition are to be called, the other side will identify objections to deposition designations and disclose any deposition counter designations it intends to introduce (for example, in response to deposition testimony disclosed by 7:00 pm ET on Sunday to be played on Wednesday, the opposing side will identify objections to deposition designations and disclose deposition counter designations by 7:00 pm ET on Monday).

4. By 8:30 pm ET two calendar days before the trial day during which a witness will testify by deposition, the party calling that witness will identify objections to deposition counter designations.

5. By 9:30 pm ET two calendar days before any witness will testify by deposition, the parties will meet and confer in an effort to resolve any disputes over objections to the deposition designations and/or deposition counter designations and any other issues relating to the designated testimony. Any party with remaining objections after the meet and confer will raise the dispute with the Court during proceedings the following Court day.

6. Each side will identify exhibits that may be offered into evidence and demonstratives to be used during the testimony of a witness called (live or by deposition) by that side by 7:00 pm ET one calendar day before the trial day during which the witnesses will be called (for example, by 7:00 pm ET on Tuesday for a witness who will be called on Wednesday). Demonstratives exchanged will not be used by an opposing party prior to being used by the disclosing party. Exhibits and demonstratives to be used on cross examination, including for impeachment purposes, need not be disclosed in advance of the witness's examination but will be provided to opposing counsel at the start of the witness's cross examination. This paragraph does not apply to demonstratives that are created in the courtroom (e.g., drawings on whiteboards, lists written on easels, highlighting and call-out boxes of exhibits).

7. Objections to demonstratives and exhibits disclosed by the party calling a witness will be served by 8:30 pm ET the calendar day before the trial day during which a witness will be called (live or by deposition).

8. By 9:30 pm ET the calendar day before the trial day during which a witness will be called, the parties will meet and confer in an effort to resolve their objections and any other issues relating to the disclosed demonstratives and exhibits.

9. If to be offered by video, the party offering deposition testimony is responsible for preparing video deposition clips and clip reports of all designated testimony for that witness (*i.e.*,

both designations and counter designations). A copy of the video deposition clips and clip reports shall be provided to the opposing party by 10:00 pm ET the calendar day before the testimony is expected to be read or played.

10. Any remaining dispute(s) will be raised with the Court for resolution before the testimony or exhibits are introduced to the jury.

Dated: August 30, 2022

Respectfully submitted,

Leah Quadrino (by consent)

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*Attorneys for Defendants The Goodyear Tire
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CERTIFICATE OF SERVICE

I hereby certify that on this 30th day of August, 2022, a copy of the foregoing was electronically filed with the Court and was served upon counsel of record via the Court's electronic filing system.

/s/ David M. Maiorana

One of the Attorneys for Defendants